

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BROADCAST MUSIC, INC.; UNIVERSAL - SONGS )  
OF POLYGRAM INTERNATIONAL, INC.; SCREEN )  
GEMS-EMI MUSIC INC.; SONY/ATV SONGS )  
LLC; STONE DIAMOND MUSIC CORP.; )  
COMBINE MUSIC CORP.; CONCORD MUSIC )  
GROUP, INC. d/b/a JONDORA MUSIC; SHIRLEY )  
EIKHARD USA MUSIC; EMI BLACKWOOD )  
MUSIC INC.; SONY/ATV SONGS LLC d/b/a )  
SONY/ATV TREE PUBLISHING; SONGS OF )  
UNIVERSAL, INC., )  
Plaintiffs, ) CIVIL CASE NO. 12-CV-8090  
v. )  
BERTUCCI OF HIGHWOOD, INC. d/b/a )  
BERTUCCI'S; and BRUCE BERTUCCI, individually, )  
Defendants. )

**CONSENT JUDGMENT**

Plaintiffs having filed an action for copyright infringement against Defendants, the parties now request entry of this Judgment.

**IT IS ORDERED, ADJUDGED AND DECREED THAT:**

1. Plaintiff Broadcast Music, Inc., 7 World Trade Center, 250 Greenwich Street, New York, NY 10007, licenses the right of public performance, and the other Plaintiffs own the copyrights, in the following musical compositions:

- a. Daydream Believer
- b. Different Drum
- c. Just My Imagination Running Away With Me
- d. Me And Bobby McGee
- e. Proud Mary
- f. Something To Talk About AKA Let's Give Them Something To Talk About
- g. Son Of A Preacher Man That Smell
- h. Candle In The Wind
- i. I Just Died In Your Arms a/k/a (I Just) Died In Your Arms
- j. Strangers In The Night

2. Defendants Bertucci's of Highwood, Inc. d/b/a Bertucci's, located at 246 Green Bay Road, Highwood, IL 60040, and Bruce Bertucci have willfully infringed the copyrights in the musical works listed in Paragraph 1 above by publicly performing the musical compositions without Plaintiffs' authority at Bertucci's.

3. Defendants are hereby permanently enjoined from causing any unlicensed public performances of any musical works licensed by Broadcast Music, Inc.

4. Defendants Bertucci's of Highwood, Inc. d/b/a Bertucci's, located at 246 Green Bay Road, Highwood, IL 60040, and Bruce Bertucci shall pay the Plaintiffs Broadcast Music Inc., *et al.*, 7 World Trade Center, 250 Greenwich Street, New York, NY 10007, \$21,600.00, less any amounts already paid to and received by Plaintiffs pursuant to the Settlement Agreement. Final judgment is entered against Defendants jointly and severally for \$21,600.00 minus \$ 1,149.83, representing the amounts already paid to and received by Plaintiffs, totaling \$ 19,450.17, to accrue at the applicable post-judgment statutory interest rate for which let execution issue, together with costs, including reasonable attorneys' fees, for the enforcement of this Judgment.

5. This Court shall retain jurisdiction over this matter for enforcement of this Judgment.

6-12-2014, 2013

Edmund E. Chang

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UNITED STATES DISTRICT JUDGE

**Approved as To Form and Content:**

Broadcast Music, Inc., on behalf of itself and the Non-BMI Plaintiffs

Bertucci's of Highwood, Inc. d/b/a Bertucci's

By: Alysa M. Leyland  
Title: AVP, Legal  
Date: 3/7/13

By: Bruce J. Barker President  
Title: President  
Date: 2-28-13

Bruce Bertucci

By: Ben J. Bart President  
Date: 2-28-13